

**HACH ROSE SCHIRIPA  
& CHEVERIE LLP**

112 Madison Avenue, 10<sup>th</sup> Floor  
New York, New York 10016  
Telephone: (212) 213-8311

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

TIMOTHY TANSKI, on behalf of himself  
and others similarly situated,

Plaintiffs,

-against-

AVALONBAY COMMUNITIES, INC.,

Defendant.

**Civil No. 15-cv-06260(LDW)(AKT)**

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS,  
APPOINTMENT OF PLAINTIFFS' COUNSEL AS CLASS COUNSEL, AND  
APPROVAL OF PLAINTIFFS' PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of the Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiffs' Counsel as Class Counsel, and Approval of Proposed Notice of Settlement ("Motion for Preliminary Approval") and the Declaration of Frank R. Schirripa ("Schirripa Decl.") in Support of Plaintiffs' Motion for Preliminary Approval, Plaintiffs respectfully request that the Court enter an Order:

(1) granting preliminary approval of the Joint Stipulation of Settlement and Release ("Settlement Agreement");<sup>1</sup>

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<sup>1</sup> A true and correct copy of the Settlement Agreement has been submitted directly to the Court.

- (2) certifying the proposed class for settlement purposes;
- (3) appointing Hach Rose Schirripa & Cheverie, LLP (“HRS&C”) (“Plaintiffs’ Counsel”) as Class Counsel;
- (4) approving the proposed Notice of Class Action Settlement, Schirripa Decl. Ex. A; and
- (5) granting such other, further, or different relief as the Court deems just and proper.

Plaintiffs have contemporaneously submitted a Proposed Order, annexed hereto as **Exhibit A**, for the Court’s convenience.

Dated: New York, New York  
June 1, 2018

Respectfully submitted,

**HACH ROSE SCHIRRIPA & CHEVERIE LLP**

By: /s/ Frank R. Schirripa  
Frank R. Schirripa  
John A. Blyth  
112 Madison Avenue, 10<sup>th</sup> Floor  
New York, NY 10016  
Telephone: (212) 213-8311  
Facsimile: (212) 779-0028

*Counsel for Plaintiffs and Putative  
Collective and Class*